IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 17418 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BALUBHAI KHUSHALBHAI PATEL & 1 - Petitioner(s)

Versus

COLLECTOR SURAT & 1 - Respondent(s)

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Appearance :

MR BS PATEL for Petitioner No(s).: 1,2.

MRS RANJAN B PATEL for Petitioner No(s).: 1,2.

MR PR ABICHANDANI, AGP, for RespondentS

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 26/08/2005

ORAL JUDGMENT

Rule. Learned AGP Mr.Abichandani waives service of notice of rule on behalf of the respondents. At the joint request of the learned advocates appearing for the

parties, the petition is taken up for final disposal today.

2. In the present petition, the petitioners have complained that entry in the revenue records of the land belonging to the petitioners has been made indicating the land to be new restricted tenure land. It is contended that there is no basis for making such an entry and that the same was made without giving an opportunity of being heard to the petitioners. The petitioners have, therefore, filed an application before the Mamlatdar on 30th December 2004 seeking deletion of the entry made in the revenue records. It is the case of the petitioners that the Mamlatdar has not passed any order on the said application dated 30th December 2004.

3. Considering the submissions made, respondent No.2 is directed to dispose of the application of the petitioner dated 30th December 2004 as expeditiously as possible and in any case not later than two months from the date of receipt of a copy of this order. With these directions, the petition is disposed of. Rule is made absolute to the above extent with no order as to costs.

Direct service.

(Akil Kureshi, J.)

(vjn)